GOVERNMENT OF INDIA
DEFENCE
LOK SABHA

UNSTARRED QUESTION NO:2483
ANSWERED ON:15.03.2007
PAYMENT OF PAY AND ALLOWANCES TO DEFENCE PERSONNEL
Malhotra Prof. Vijay Kumar;Tripathi Shri Chandramani

Will the Minister of DEFENCE be pleased to state:

(a) whether the defence personnel both serving as well retired are not getting full pay and allowances for the last so many years despite the sanction of the Government as reported in the "Dainik Bhaskar" dated January 23, 2007;

(b) if so, the details alongwith the reasons therefor; and

(c) the action being taken by the Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF DEFENCE (SHRI A.K. ANTONY)

(a) to (c): A statement is attached.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA UNSTARRED QUESTION NO. 2483 FOR ANSWER ON 15.3.2007

The news item as reported in the "Dainik Bhaskar" dated 23rd January 2007 is not based on facts. The news item refers to the recommendations of IVth Central Pay Commission (CPC) which the Government had implemented in 1987. The IVth CPC recommended with illustrations for the deduction of rank pay while fixing pay in the revised pay scales. One retired Major had filed a writ petition in the High Court of Kerala against the deduction. The High Court ordered to refix the pay of the petitioner without deducting the rank pay.The Government contested the matter by filling an Special Leave Petition (SLP) in the Supreme Court which was dismissed not on merit but on account of delay.

2.Consequent on the judgement, a number of writ petitions have been filed in different High Courts by serving and retired service officers for grant of similar benefits. On a transfer petition filed by the Government, the Supreme Court vide its order dated 5th February 2007 has granted stay on the proceedings in High Courts.The matter is presently sub-judice.